

McMahon C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/7/17

Luis Caceres Dardano, *et al.*,

Plaintiff,

- against -

U.S. Citizenship and Immigration Services, *et al.*,

Defendants.

No. 17 Civ. 00370 (CM)

STIPULATION AND ORDER

WHEREAS, plaintiffs Luis Caceres Dardano ("Mr. Dardano"), Karla Castelar De Caceres ("Ms. Caceres"), and proposed intervening plaintiff Sandor Lunca ("Mr. Lunca") are challenging the decisions of the U.S. Immigration and Citizenship Services ("USCIS") relating to their Form I-539 change-of-status applications from B-2 to F-1/F2; and

WHEREAS, plaintiffs and Mr. Lunca will be asked to file one Form I-539 with fee to request for a B-2 status extension;

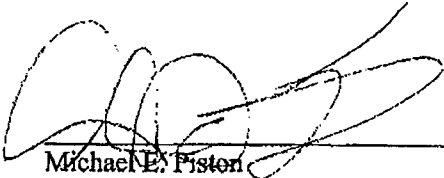
WHEREAS, USCIS will process the Form I-539 and apply 8 C.F.R. § 214.1(c)(4), granting a six-month B-2 status extension to cure the prior USCIS finding of ineligibility for not maintaining B-2 status up to 30 days prior to the school's deferred program start date; and

WHEREAS, USCIS will sua sponte reopen the previously denied Form I-539 change-of-status applications and re-adjudicate the applications on their merits;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, that this action is hereby dismissed with prejudice and without costs or fees to any party.

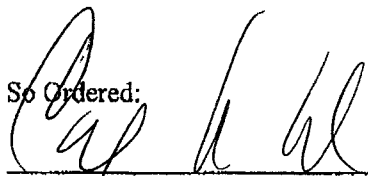
New York, New York
April 6, 2017

LAW OFFICE OF MICHAEL E. PISTON
Attorney for Plaintiffs and Sandor Lunca



Michael E. Piston
225 Broadway Ste 307
New York, New York 10007
Tel. (646) 845-9895

So Ordered:



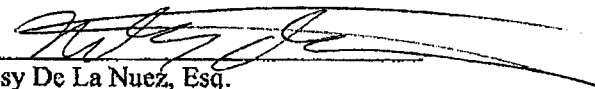
Hon. Colleen McMahon
United States District Judge

4/7 / 2017

New York, New York
April 6, 2017

JOON H. KIM
Acting United States Attorney for the
Southern District of New York

Attorney for Defendants



Nelsy De La Nuez, Esq.
Special Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel. (212) 637-2770
Fax (212) 637-2786

ENC